

# ASIA PACIFIC CENTRE - RESPONSIBILITY TO PROTECT

AD HOC AND AS USUAL:

THAI GOVERNMENT'S RESPONSES TO THE MYANMAR CRISIS SINCE THE 2021 COUP



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## Executive Summary

This report explores the current socio-political developments in Myanmar and how they affect Thailand. It also investigates Thailand's perception of the Myanmar crisis and how the Thai government's responses. This report provides insights into the effects of the 2021 Myanmar coup and subsequent crises on Thailand and helps us better understand Thailand's foreign policy position and conduct. Our study is exploratory and descriptive, drawing insights from documentary research, in-depth interviews, participation in seminars and talks, and field visits to border areas between Thailand and Myanmar.

We recognize three significant changes in the socio-political dynamics in Myanmar since the coup:

- The perception of the Bamar people, the major ethnic group, toward minorities has become more positive.
- The military as an institution is crumbling, losing its power grip in many areas, with a growing number of defections.
- Myanmar people are united against the junta and have the new aspiration of turning their country into a federal state

Our study also found that the ongoing crisis in Myanmar has affected Thailand in five areas, namely: migration, trans-border security, economic affairs, diplomacy, and geopolitics. Specifically:

- Thailand has experienced more migrants and refugees from Myanmar. We categorize them into three groups: 1) people who crossed into Thailand temporarily—mainly via the natural passes—before returning home; 2) economic migrants who hope to integrate into Thailand's labor forces; and 3) activists and high-profile individuals opposed to the coup, some of whom would like to get resettled in a third country.
- The 2021 Myanmar coup also posed threats to Thai nationals living along the border areas and inside Thailand. Cross-border gunfire affect the properties of residents who live in the border area. There were also concerns about the operations of the Myanmar military inside Thailand, the increasing drug activities, and public health challenges.
- The ongoing Myanmar crisis disrupted cross-border trade and regular economic affairs.
- The military coup in Myanmar significantly eroded the trust that the two countries have built over the years, leading to a new challenge of choosing who among the conflicting parties Thailand should engage with in the trust rebuilding process.
- The Myanmar crisis led to potential geopolitical rivalry between major powers, putting Thailand in a strategic dilemma as it faced political pressures from these powers.

In this report, we posit that Thai officials have followed the political developments in Myanmar very closely since the 2021 coup. The 'burden of proximity' makes the government mainly concerned about the influx of the displaced persons and Myanmar's opposition parties. Thailand also acknowledges other security, economic, and international relations impacts. Since the coup, the Thai government's responses to the Myanmar crisis—while being shaped by bureaucrats—are business as usual with an ad hoc feature.

Thailand's business-as-usual foreign affairs consist of dual-track diplomacy: military-to-military and government-to-government, led by the Royal Thai Armed Forces (RTAF) and the Ministry of Foreign Affairs (MFA) accordingly. Besides, local villagers also establish local mechanisms for cross-border collaboration with Myanmar people. We argue that the application of business as usual to conduct its foreign relations makes Thailand appear to support the junta though not announced openly. This practice puts Thailand at risk of being condemned by Myanmar people and the international community amid the growing opposition against the Myanmar junta domestically and internationally.

Thailand has also used ASEAN as a platform to engage with Myanmar. However, the Thai government is reactive rather than proactive in dealing with its neighbour. To respond to the immediate effects of the Myanmar crisis—especially the influx of migrants and refugees, Thai officials have adopted ad hoc measures as an add-on feature to the business-as-usual model, including the management of the forcibly displaced and Thai civilians. This practice is planned for a short-period implementation until the situation in Myanmar stabilises.

In conclusion, we believe that the Thai government's policy position towards Myanmar is vague and calls on the Thai government to be more proactive. We propose a 'flexible approach' for Thailand to engage with Myanmar. Our policy recommendation consists of three core components:

- *Assisting Myanmar refugees*  
We develop a ‘flexible humanitarian model’ based on the humanitarian-development nexus, allowing Thailand to assist the forcibly displaced while protecting its national interest.
- *Pursuing flexible engagement with the junta*  
We propose ‘flexible engagement,’ guided by the vision of the late Dr. Surin Pitsuwan, former ASEAN Secretary General, in which Thailand communicates its position towards Myanmar openly and reserves the right to put pressure on the junta. This approach also guides us to urge Thailand to be more forceful in pressuring the Nay Pyi Taw regime using the ASEAN platform.
- *Endorsing federalism in Myanmar*  
Amid the ongoing civil war, we strongly recommend that the Thai government engage with other stakeholders inside Myanmar beyond the establishments, especially the National Unity Government (NUG), the National Unity Consultative Council (NUCC), and ethnic armed organizations (EAOs), who have increasingly supported federalism. We believe that Myanmar’s federalism should be in the interest of Thailand since it will potentially bring lasting peace to the country.

## Introduction

On February 1, 2021, the military coup brought Myanmar back into the dark age of authoritarianism. The Myanmar Armed Forces (or Tatmadaw)—led by Senior General Min Aung Hlaing—seized power from the democratically elected government of Aung San Suu Kyi and her National League for Democracy (NLD) on the day the new parliament was supposed to meet for the first time (BBC 2021a). The military cited widespread fraud in the 2020 November elections as the primary reason for the power grab. However, such allegation contradicted evidence provided by Myanmar’s Union Election Commission (UEC) and international observers, who posited that the elections were well-arranged and fair despite being held during the pandemic (BBC 2021b; Lwin 2021). The elections fraud claim is arguably used to leverage the NLD government since the military attempted to negotiate with the government for the political appointments (International Crisis Group 2021).

The military searched and arrested key NLD members, including Aung San Suu Kyi and U Win Myint, the President of Myanmar. They were captured and detained in an unknown location by the military. Evidence suggests that the military allegedly demanded the president declare a state of emergency, which he refused (The Irrawaddy 2021e). The absence of the head of government led the Myanmar Armed Forces to invoke a provision in the constitution of Myanmar that allowed for the transfer of supreme power to the commander-in-chief of Tatmadaw, Min Aung Hlaing. The military then declared a year-long state of emergency (BBC 2021a). The junta then formed the State Administration Council (SAC), claiming to be the caretaker government, with Min Aung Hlaing serving as the SAC Chairman and Prime Minister.

In the aftermath of the coup, a broad swath of people in Myanmar joined hands in opposing the military dictatorship. Their arduous resistance morphed into the Civil Disobedience Movement (CDM), in which competing ethnic militias set aside their differences and participated in protests to topple the military junta (Cabot 2021). The Committee Representing Pyidaungsu Hluttaw (CRPH), consisting of a group of ousted elected NLD lawmakers and other members of parliament, also emerged to claim its legitimate right to be the legislative body in exile. It established the National Unity Government (NUG), an interim executive body, to claim its rightful leadership of the country (The Irrawaddy 2021a). During this time, the National Unity Consultative Council (NUCC), whose members include CRPH, NUG, ethnic armed organizations (EAOs), ethnic political parties, and CDMs, also convened to unite different forces across the country aimed at establishing a federal state for Myanmar (Tun and Thuzar 2022). The Federal Democracy Charter was drafted as a guiding document leading the country to its new political order.

Since the coup, Tatmadaw brutally cracked down on protestors all over the country, killing more than a thousand people, including children and women (Aljazeera 2021e). The violent repressions also forced many to flee from their townships to seek refuge in various areas across the country, and some attempted to cross into Myanmar’s neighboring states (Wongcha-um 2021). The widespread use of violence by SAC has led to the formation of the People’s Defense Forces (PDFs)—civilian-turned militants—who use armed struggle and guerilla warfare to fight against the SAC. While some PDFs pledge allegiance to the NUG, many are atomized and have been operating independently across the country with primitive weapons. One report approximates that there are more than 300 PDF groups in Myanmar (VOA NEWS 2022a).

As of March 2022, the political situation in Myanmar remains intense. The clash between Tatmadaw and the anti-junta forces has continued daily with no sign of ending. The outrage of the Tatmadaw since the coup resulted in the death toll, which has already passed 1,700 people. Airstrikes have caused civilian casualties, and some people were burned alive, including humanitarian aid workers (The Irrawaddy 2021f). More than 10,000 people are still detained in military custody (Assistance Association for Political Prisoners 2022). According to the Humanitarian Situation Report No. 2, more than five hundred thousand people have become internally displaced persons across Myanmar, while some are refugees (UNICEF 2022). There were also reports of recruiting child soldiers (UCA News 2021). Therefore, the situation inside Myanmar posed significant concerns and security risks to other neighbouring countries and the region. The United States Institute for Peace's Myanmar Study Group describes the ongoing situation as a 'civil war.' The report said,

Twelve months on, the violence has descended into full-scale civil war. This fighting has resulted in significant casualties, and hundreds of thousands of people have been displaced internally and across borders as the army deploys heavy weapons and air assaults, wiping out entire villages in attempts to dislodge EAOs and PDFs (Myanmar Study Group Report 2022).

In the past year, several countries have attempted to pressure the military junta using multiple platforms, hoping to bring them to a dialogue with the opposition. Yet, no considerable effects are seen. Thus, international attention has turned to Myanmar's neighboring countries—including China, India, and ASEAN states, hoping that they would join forces in pressing the Tatmadaw to change course. On April 24, 2021, ASEAN leaders invited Min Aung Hlaing to a meeting in Jakarta, Indonesia, and the meeting produced a five-point consensus, to wit: (1) put an end to the violence; (2) pursue constructive dialogue to seek a peaceful resolution; (3) facilitate mediation by an ASEAN envoy; (4) deliver humanitarian assistance provided by the ASEAN's AHA Center, and (5) allow the high-level visit by the special envoy and delegation to meet with all parties (Bangkok Post 2021d). However, the outcome of this meeting was not well-received by the opposition forces in Myanmar, given that they do not recognize the SAC's legitimacy (Lee 2021).

The subsequent events following the April meeting also reflected the failing regional diplomacy. The military junta doubled down on refusing to accede to the request of the ASEAN special envoy, Erywan Yusof of Brunei Darussalam, which included a visit to the former state counselor Aung San Suu Kyi—citing her criminal charges (The Straits Times 2021). The junta's inaction then led to the growing call for the recognition of the NUG as a legitimate representative of the Myanmar people (The Irrawaddy 2021b) and the exclusion of the military regime from joining future ASEAN meetings. This call led to the refusal to invite Min Aung Hlaing or his representative to participate in the ASEAN summits hosted between October 26 and 28, 2021 (Bandial 2021). This move is a significant step that ASEAN has taken to put political pressure on Myanmar, testing its long-upheld principle of non-interference. However, as soon as Cambodia assumed the ASEAN chairmanship, Hun Sen visited Nay Pyi Taw in January 2022, leading many observers to question the bloc's unity.

Despite these developments, all eyes continue to focus on the reactions of Myanmar's vital neighbor, Thailand, whose military has very close relationship with the Tatmadaw, hoping that it could have done more to make a difference in Myanmar. Thailand is among countries with the most at stake in the Myanmar crisis because they share a 2,416-kilometer border, running from its northernmost province of Chiang Rai to the southern Andaman Sea coast. More than 200 Thai companies—large and small—have invested in various economic sectors, ranging from petroleum and natural gas to agricultural production (Wai 2019). Thus, the Thai government's actions and position could have carried a significant political weight toward political developments inside Myanmar.

Since the 2021 coup, the Thai government has remained generally silent. It refrains from condemning violence and grave human rights violations in Myanmar—despite expressing its concern in the media (Matichon 2021a). In the first few months after the coup, Thailand reluctantly assisted refugees who attempted to cross into its territories (Wongcha-um and Thepumpant 2021). Even worse, the Thai military sent personnel to join Myanmar's Armed Forces Day celebration and allegedly attempted to send foods and supplies to aid Tatmadaw units stationed along the Thai - Myanmar border when they requested assistance from their Thai counterparts (Bangkok Post 2021b; Khaosod 2021b). In February 2022, images of the Thai Ambassador to Myanmar visiting Min Aug Hlaing and other junta-appointed ministers before leaving her post also emerged, suggesting that Thailand may have tacitly recognized the SAC as the legitimate government of Myanmar (MGRonline 2022b).

At the multilateral level, the Thai prime minister also refused to participate in the special ASEAN summit in April 2021, citing the surge in Covid-19 cases in the country (Radio Free Asia 2021). In September 2021, Thailand also abstained on a UN resolution condemning the Myanmar military, arguing that condemnation would not help make constructive changes to the ongoing situation (Bangkok Post 2021e). However, Thailand seemed to shift its position slightly at the

multilateral level during the ASEAN summit in October 2021, when the Thai government became more supportive of ASEAN's forceful positions, including the exclusion of Min Aung Hlaing from the summit (Ng and Gomez 2021). Apart from that action, the overall position of Thailand is uncertain, leading many to question Bangkok's actual policy and reactions to the ongoing crisis inside its neighbor.

## **Socio-Political Developments in the Post-2021 Coup Myanmar**

Since the 2021 coup, the socio-political landscape in Myanmar has changed drastically, at least in three major areas. First, the perception of the Bamar people, the major ethnic group, towards other minorities changed significantly. Second, the military as an institution is crumbling, losing its power grip in many areas, and experiencing more defections. Third, the Myanmar people are united against the junta and are now pursuing a new aspiration of turning Myanmar into a federal state.

For decades, the Myanmar military arrogated upon itself the mission to guiding the country forward. With information campaigns, power position, and political machinery, it was able to sway public opinion and foster negative attitudes towards other ethnic minorities. The Tatmadaw enjoyed significant support from the Bamar people that make up nearly 70% of Myanmar's population. The 2021 coup, however, disrupted and changed this dynamic. Many Bamar people—especially the younger generation—who have enjoyed a decade of more political freedom—turned their back on the military. They are greatly concerned about their country moving backward into the dark age of military rule and see freedom as a price worth fighting. Many young Bamar people have turned to armed struggle against the junta due to this conviction. One freedom fighter for example, said: 'I always believe in non-violent movement, but this time is different. Without arms, we will not be able to get rid of the military in politics' (Myanmar Activist#4, interview, February 10, 2022). Many joined hands with others and formed PDFs. Some have also operated independently with primitive or homemade weapons. For this reason, it is difficult to identify who belongs to the PDF because it can be anyone. Thus, it is essential to recognize that PDFs are not an institutionalized organization but rather an atomized operation of people with the shared hope to make a difference in their country, primarily by toppling the Min Aung Hlaing regime. Their independent activities, however, do not make them lack unity or coordination. Several groups are communicating with each other.

The 2021 coup also led many Bamar people to share empathy with other ethnic minorities, including the Rohingya. In discussions with three Bamar activists with different political ideologies, we learned that their view on violence toward the Rohingya had changed significantly after the coup. One of them felt that the military's misinformation campaign misled them and the coup made them to feel more connected to the minorities given that their lives and properties have been threatened in the same way (Myanmar Activist#1, interview, January 29, 2022). For this reason, many anti-coup supporters are more willing to collaborate with other ethnic minorities and ethnic armed groups to fight against the junta.

The divergence of the Bamar people's support to the anti-junta forces also suggests the crumbling of the Myanmar military's ideology and their power. The widespread use of violence in many areas, including in Yangon, made people believe that Tatmadaw is no longer the esteemed protector of the people or the nation but rather a national disgrace. This feeling has contributed to the increasing mistrust between people and the military. The military's attacks in several townships where homes of many low-ranking officials are located has also led to their growing defection from the armed services. Many refused to point guns at innocent civilians who may be their friends, relatives, and family members (France24 2021c). Besides, many increasingly defected due to low morale as their salaries were not paid and heavy losses to PDFs and ethnic armed forces in many areas (Reuters 2022). This mounting crisis inside the Tatmadaw may be one of the reasons why Min Aung Hlaing saw the urge to call for unity among his personnel in his Myanmar Armed Forces Day address.

The rising defection has also affected the ground operations of the Tatmadaw. Not only the armed forces have lost troop numbers, but some confidential information also gets transferred to the opposition, affecting Tatmadaw's strategies. Data from the ethnic forces indicated that some group has successfully taken control of several areas once under the rule of Tatmadaw (France24 2021b; The Irrawaddy 2022). The heavy use of airstrikes also reinforced the fact that the military might of the Myanmar Armed Forces is weakening. We believe that the air superiority is the only way the Tatmadaw can maintain somewhat strategic leverage over the resistance forces. Once this advantage is fallen, there is a high chance that the current regime will be defeated.

Finally, although there are factions among the junta's oppositions, we have found that they have been more united in recent months—at least for common goals, such as establishing federalism in Myanmar and limiting military role in

politics. EAOs are also supportive of both propositions, given that they felt betrayed by the junta that did not honor the Nationwide Ceasefire Agreement (NCA). The Federal Democracy Charter (2021) serves as the primary document envisioning how Myanmar will move forward as a Union. The five guiding principles states that:

1. The member states of the Union and the people in these states are the original owners of sovereignty.
2. The Federal Democracy Union is established with member states which have equal rights and right to self-determination in full. All the member states of the Union (all the federal units) are equal in terms of politics.
3. Member states of the Union have the right to enact their own respective State Constitution.
4. The Union exercises Power Sharing, Revenue Sharing and Fiscal Federalism. In doing so, it exercises the Subsidiary Principle where the system allows the government level closest to the people can act.
5. All Federal Union Security and Defense forces shall be under the supervision and administration of democratically elected civilian government. They shall exercise policy based on human security.

Based on the Charter, it is apparent that the political conversation among groups in Myanmar is no longer about ceasefire but rather how to build a strong nation moving forward under federalism.

## **Impacts of the Myanmar Crisis on Thailand**

The military coup, subsequent civil war, and changing socio-political landscape in Myanmar affected its neighboring countries, especially Thailand. Specifically, the impact on Thailand are in five areas: migration, transborder security, economic affairs, diplomacy, and geopolitics. Although these impacts are presented separately in this report, they are interconnected. We are convinced that if the situation in Myanmar does not get resolved positively soon, the negative effects will grow and pose long-term risks for Thailand.

### *Migration*

Thailand has experienced an increasing number of migrants and refugees from Myanmar who travel both by air and through the natural passes. The UNHCR reported that approximately 25,000 people have already sought refuge overseas, including in Thailand (UNHCR 2022). We classify people who travel to Thailand into three groups: 1) people who have crossed to be in Thailand temporarily—mainly via the natural passes—before returning home; 2) economic migrants who hope to integrate into Thailand's labor forces; and 3) activists, individuals, and high-profile opponents of the regime.

The first group is perhaps the largest group that came into Thailand since the coup. Many were from ethnic-controlled areas fleeing from the Tatmadaw's airstrikes. They have traveled into Thailand using natural passes between the two countries, primarily via Mae Hong Son and Tak provinces. There have been several influxes since February 1, 2021. The first two significant movements occurred between March 27 and April 1, 2021, and between April 28 and 29, 2021. The plight of refugees happened after Tatmadaw's land campaigns and air assaults attacking the anti-coup forces and strongholds of the Karen groups located close to the Thai border. Several casualties and injuries were reported. Approximately 7,000 crossed the Salween River to seek temporary refuge in Thailand (Aljazeera 2021b). A similar trend continued until March 31, 2022, when nearly 2,000 forcibly displaced people crossed into Thailand for temporary shelters in Tak province (Transborder news 2022).

Our findings reveal that the first group of people does not intend to seek refuge in Thailand permanently. Once the situation inside Myanmar improves, they hope to return home due to concerns about their belonging, properties, and, ultimately, land. Some people have learned from their previous experiences in the Kayin State that if they vacated their home and land for too long, the Myanmar military could take away those lands and distribute them to released prisoners or others ((Myanmar Activist#7, interview, February 6, 2022). That means the local people would forever lose their plantation and livelihoods.

The second group of people fleeing Myanmar for Thailand is composed of high-profile opposition personalities, political activists, and intellectuals. These people are key figures in the anti-junta movement. Many of them came out of Myanmar earlier, both via air or through natural passes. For those traveling into Thailand via air, many took special flights using a special tourist visa (STV) introduced by the Tourism Authority of Thailand (TAT) as part of the economic measure to boost Thailand's tourism industry. Their visa is valid for three months and can be extended up to two times for 90 days each (Royal Thai Government Gazette 2020). As this group of people has sought refuge in Thailand's urban areas, some have attempted to register for refugee status with UNHCR upon entry into Thailand. However, their request was denied—creating a protection vacuum, especially after their overstays. Therefore, urban refugees are at

risk of being arrested and detained for illegal stay and may get deported eventually. A recent discussion with the staff of one non-profit indicates that some of them have been restricted in their movements, and several local organizations and lawyers have coordinated with Thai officials, UNHCR, and diplomats to assist them (NGO#3, interview, November 17, 2021).

A more significant number of the high-profile cases have traveled into Thailand using natural passes between the two countries, primarily via Tak province. Many initially entered the ethnic-controlled areas, especially the Karen National Union's territories, for temporary protection before traveling into Thailand. They later crossed by foot over the river into Thailand. There were also reports of bribes being paid to border guards and local police officers for entering the Kingdom and remaining safely in the area (VOA NEWS 2022b).

The last group of Myanmar people crossing into Thailand is composed of economic migrants. Since violence broke out after the 2021 coup, the livelihoods of individuals inside Myanmar have changed drastically. Many have lost their jobs and hope to cross into Thailand for new opportunities. While some come originally as a tourist, many of them depend on natural passes for crossing. Migrants also depend on smugglers' assistance for border crossing. They may have to pay as much as 20,000 THB (MGRonline 2022a). Bangkok Post reported in June 2021 that the smuggling network operating transnationally with a person inside Myanmar who brought migrants from townships to come to Thailand through natural passes before leaving them with a contact person on the Thai side (Chongcharoen 2021). In November 2021, the Thai Armed Forces in Tak province arrested 111 men and 73 women who attempted to cross into Thailand using the natural pass (Siamrath 2021). In January 2022, nearly 100 people were captured in the Fang district of Chiang Mai (MGRonline 2022a). All were presented in the media as illegal migrant workers, while in fact, they can also be refugees since the mixed migration nature of their movement makes it difficult to make a distinction. Accordingly, we acknowledge that this category of people fleeing from Myanmar and the previous two are not always mutually exclusive.

Although the growth of the smuggling network is a spin-off from the migration challenges posed by the Myanmar crisis and constitutes a threat to Thailand's national security, we do not believe that the forcibly displaced and economic migrants themselves are a threat to Thailand. The first two group is composed of people fleeing war and unrest for safety and peace, while the latter hopes to rebuild their livelihoods since opportunities have become restricted in their home country. Many of these people should, therefore, be seen as an asset to Thai society. The key challenge, we argue, is how to shield these people from becoming victims of smuggling networks.

As the crisis in Myanmar continues, there is a high likelihood that a significant influx of the forcibly displaced will enter Thailand for asylum. The UNHCR's Myanmar Emergency Update for March 2022 reported that around 503,000 people have been recently displaced inside Myanmar. More than seventy percent of them seek asylum in Kayin, Kayah, and Shan states, bordering Thailand (UNHCR 2022). From the start of 2022 onwards, the intense airstrikes of the Myanmar Armed Forces in the ethnic-controlled areas in Kayin and Kayah states have displaced nearly thousands of people into forest areas. Many of these people may make their way into Thailand if the situation gets worse (ThaiPBS 2021b; The Economist 2021).

However, no reports could accurately estimate the number of forcibly displaced for several reasons. First, the movement pattern of the forcibly displaced remains primarily temporary. Second, some may seek asylum in safe areas, including forests, hoping to return home after the fights. Third, there are no credible estimates since independent observers could not enter Myanmar. However, regardless of the accurate number, one clear implication for Thailand at the intersection between the Myanmar crisis and migration is that the forcibly displaced will make their way into Thailand if the political unrest in Myanmar continues. The Thai government will, therefore, need to manage the migration flows due to the burden of proximity.

### *Transborder Security*

The 2021 coup also posed a security threat to Thai nationals in the border areas. Between April 17 and 25, 2021, residents of Ban Ta Fang reported that Myanmar Armed Forces shot their boats and disrupted daily border crossing. Myanmar soldiers also inspected the merchandise of Thai traders, which was an uncommon practice (Naewna 2021b). Besides, they also hit one boat on which border patrol police boarded (NGO#1, interview, September 20, 2021). These military activities disrupted the livelihoods of Thai citizens living in the border area, creating fear for their lives.

On April 27, 2021, 450 residents of Ban Mae Sam Lap in the Mae Hong Son province had to leave their homes and seek refuge at the Huai Kong Kad School, located 7 kilometers away, after the fight between Tatmadaw and Karen National Union (KNU) erupted (Daily News 2021). Residents also heard gunshots and military planes flying over their residential area, suspecting Myanmar military jet might have crossed into Thailand's air space. A report from the Governor of Mae



Hong Son also indicated that gunshots from the Myanmar side injured one Ban Mae Sam Lap resident (PPTV 2021), reinforcing that conflicts in Myanmar have affected Thailand.

The Thai military negotiated with local Tatmadaw officers in response to the situation. The Myanmar side agreed to neither search nor shoot local ships of Mae Sam Lap residents, but they asked for food delivery to them in return. Regardless of the Myanmar soldiers' desperation and attention for aid, the livelihoods of Thai nationals on the frontline and the Thai sovereignty were at stake, calling into question what the Thai military could have done more to defend Thailand and Thai citizens.

In mid-December 2021, the security concern grew among the Thai residents as the effects of the airstrikes and violent clashes in Myanmar had spilled over into Thailand. The gunshots were heard in Mae Sot, located 10 kilometers away from the border (Thairath 2021b). Bullets also fell in the Thai territories hitting properties of local residents. The fear for lives has propelled some to take cover in the bomb shelters (Sanook news 2021). In response, the Thai military lighted a smoke grenade to signal to the Myanmar side that the bullets had affected Thai soil and used the established mechanism to submit a formal complaint to Myanmar (Bangkokbiznews 2021). Apart from these actions, the Thai government and officials have not taken any other proactive steps.

Beyond border security, the military coup has also posed a security challenge inside Thailand. There were several reports of the active intelligence operations of Tatmadaw inside Thailand. One local NGO informed us that the forcibly displaced from Myanmar in Thailand's northern cities were followed by suspicious individuals who took photos of them and their whereabouts (NGO#1, interview, September 20, 2021).

Another Thai activist also indicated credible proof that the junta government sent informants to be among the forcibly displaced people fleeing Myanmar. Some agents were former NLD supporters (NGO#2, interview, September 29, 2021). Besides, the arrival of Myanmar political activists and high-profile figures into Thailand has also raised concerns among Thai officials who feared that the country would be used as haven for launching Myanmar opposition movement—which historically happened in the past (Official#3, interview, October 6, 2021).

Another major security challenge is drug trafficking. Following the coup, Jeremy Douglas, a Regional Representative of the United Nations Office on Drugs and Crime (UNODC) for Southeast Asia and the Pacific, suggested, 'We are concerned that already very high drug production and trafficking levels will increase' (cited in Stone 2021). The political unrest inside Myanmar has provided an 'ideal condition' for the growth of cartels—mainly since parties involved in the conflicts likely use drug money to purchase weapons and run their operations. This prediction is not a new insight, given that conflicting parties in Myanmar have a long history of engaging in illicit drug trade to raise funds to support their military operations. As a result, Thailand will likely continue to serve as a transit route for drug trafficking to other countries. Although illicit drugs may not be a new security challenge, the intensification of drugs activities requires active undertaking of Thai officials

Finally, the public health of Myanmar migrants will also become another security concern for Thailand. The coup in essentially made the pandemic response efforts in Myanmar to collapse. As of November 2019, less than 20% of Myanmar citizens are vaccinated, making the country one of the most vulnerable to the future waves of the Covid-19 outbreaks. The Tatmadaw also threatened and attacked doctors, nurses, and medical personnel, especially if they joined the resistance (Krishna and Howard 2021), causing further service shortages. The vulnerability of Myanmar's health-care system eventually posed a public health challenge to Thailand, especially if another major outbreak hit Myanmar because of the new variant. However, as the pandemic does not discriminate between peoples and the infection is two-way, any contact of an infected Thai individual with the Myanmar community could significantly damage and put Myanmar further at risk for COVID-19 infection.

### *Economic Affairs*

Economic relations between the two countries were also affected by the crisis in Myanmar after the coup, given that Thailand is the sixth-largest foreign investor with nearly 200 companies (Thansettakij 2021a) in the country. Thailand's companies have invested in various sectors, including construction, energy, food, agriculture, etc. The economic concerns of Thai companies come from both actions inside and outside of Myanmar. Within Myanmar, there is a concern that the junta might threaten businesses by imposing fines or even confiscating them, making business volatile. The unrest caused by the coup has also resulted in resistance to consumption and the use of services provided by companies linked to the Myanmar armed forces. Moreover, the civil disobedience movement campaign has led to workers' strikes, which stops the production line in many Thai businesses (Prachachat Turakij 2021).

Moreover, as foreign governments have imposed economic sanctions on Myanmar, companies have been concerned about reducing profits. Consequently, these concerns have led many Thai companies to suspend their projects, investment, and operation in Myanmar. For example, the AMATA Corporation halted the construction of the Yangon Amata Smart and Eco-City (YASEC), which was designed for facilitating foreign investment (Apisitniran 2021). Beyond trade and investment inside Myanmar, Thai businesses have also been concerned about the cross-border trade insecurity due to the unpredictability of the junta's border decisions. Concerns that the Tatmadaw might impose border closure make demand unpredictable (Khaosod 2021a).

However, we would like to note that the economic effects of the Myanmar crisis on Thailand will take shape slowly, especially in the energy business. Since the coup, the Thai state-owned corporations, particularly the PTT Public Company Limited (PTT), have collaborated with military-linked energy companies to increase their presence in Myanmar (Human Rights Watch 2021). This happened against the backdrop of the western oil corporations, such as Chevron and Total, stopped doing business with the junta since the coup (Reuters 2021b). Besides, Thai consumer goods, such as soft and energy drinks, have played an essential role in becoming alternative products for Myanmar people (Arayasukawat 2021). Beverages, instant coffee, sweetened condensed water, and condensed milk, in particular, have been imported in a significant volume through land borders. The junta government eventually had to control the land import of these products.

In the long run, observers suggest that Thailand needs to beware of the following trends inside Myanmar, which could affect Thailand. First, the Kyat (MMK) volatility rate can initially burden entrepreneurs inside Myanmar. However, in the long term, the purchasing power of entrepreneurs will likely affect business partners inside Thailand. Second, the lack of liquidity in the Myanmar economy caused financial stress. Private banks cannot operate normally due to employee strikes and unrest. Thus, the cash flow from the ATM is not enough to meet the needs of the people in Myanmar, leading public spending to be slowed or decreased and affecting the trading business sector and investments owned by many Thais in Myanmar, such as manufacturing plants and department stores. In recent months, many of them have had to halt operations indefinitely due to a lack of workers (Thairath 2021a).

### *Diplomacy*

The military coup in Myanmar has also eroded the trust that the two governments have built over the years. As Thailand continues to be the critical strategic neighbor of Myanmar, the junta's foreign minister rushed to come to Thailand after the coup (Maulia and Jibiki 2021). However, the ascension of the military generals requires Thailand to reassess its policy direction. Although the Thai leadership may have long engaged with the junta through military ties, the latter's power assumption requires a different engagement dynamic. The Myanmar generals are now operating both military and civilian activities. Accordingly, the trust-building process with Nay Pyi Taw needs to be reconsidered.

Nevertheless, since the 2021 coup, some members of the previous democratically elected Myanmar government who now formed the NUG and the anti-junta activists have become skeptical of the Thai government's position. This is so given that, as the Irrawaddy stated, 'Thailand has reportedly told diplomats that it will not accept anyone who is in opposition to the [military] regime' (The Irrawaddy 2021d). There were also rumors among the forcibly displaced that Thai officials had been ordered to arrest members of NUG (NGO#1, interview, September 20, 2021). The recent visit of the Thai Ambassador to Min Aung Hlaing has also made many anti-junta parties believe that the Thai government has endorsed and recognized of the regime in Nay Pyi Taw. This scenario poses a key trust-building challenge for Thailand with another major faction of the Myanmar society and potentially with the international community that increasingly recognize the legitimacy of NUCC, NUG, and the anti-junta resistance forces.

### *Geopolitics*

The ongoing conflict inside Myanmar also posed geopolitical challenges in the border area. Lay Kay Kaw is one of the main towns severely affected by the Tatmadaw's airstrikes. Japan previously aimed to turn the township into a special economic zone parallel with the Mae Sot Special Economic Zone on the Thai side. The Nippon Foundation helped build residents' homes and rejuvenate the city (Karen News 2022). However, the town is now turned into a battleground driving investors out of the area. While the SAC cited the growing PDF activities as the reason for the bombing, one observer informed us that the attack on the area served the SAC's strategic purpose. Tatmadaw aimed to take control of the borderlands between Thailand and Myanmar to have more leverage in negotiating with the Thai authorities and businesses for cross-border trade and other economic activities (Myanmar Activist#7, interview, February 6, 2022). The latter explanation is consistent with information found interviewed by a local Thai official who informed us that Myanmar military officials attempted to buy many plots of lands in the areas across from Mae Sot before the coup and confiscated them without paying the rest of payments after the coup happened (Official#5, interview, February 4, 2022).

As some investors from Japan and other countries left Myanmar, we recognize that there could be an attempt by parties in the Myanmar conflict to bring major powers more involved in the ongoing political scene. China, in particular, has already expressed keen interest in investing in the areas along the Thai - Myanmar border. Shwe Kokko, a township located north of Lay Kay Kaw, saw a booming in Chinese investments even after the military coup (The Irrawaddy 2021c). We believe that the continuing engagement of China in these areas aims to provide China with convenient access to the Asian Highway 1 (AH 1), which will allow China to have faster connection to Myanmar's heartland and eventually the Andaman Sea as part of its Belt and Road Initiative (BRI). The assertion of Chinese influence in the areas will likely bring the US and allies into the geopolitical play. Washington has, in recent years, demonstrated a growing concern about China's expansive influence in the Southeast Asian region, and perhaps this may help explain why the US continued to operate its embassy inside Myanmar. This geopolitical competition will put Thailand at a strategic political disadvantage due to political pressure from both major powers.

## **Thailand's Foreign Policy Towards Post-Coup Myanmar**

### *Foreign Policy Outlook*

Since the coup, different sectors in Thai society have been closely watching the situation in Myanmar. Many Generation-Z activists have become more identified with Myanmar activists through symbols, such as the three-finger salute, which was first used in Thailand to oppose the 2014 coup and later adopted by Myanmar protesters. Some also invited Myanmar protestors to join the Milk Tea Alliance, a regional online-based pro-democracy movement (France24 2021a; The Diplomat 2021). #WhatsHappeningInMyanmar had become a trending hashtag on Thailand's Twitter, especially when there was grave violence inside Myanmar in the first few months after the coup.

Despite enthusiastic support for the opposition in Myanmar among some Thai netizens, the Thai government has refrained from communicating its official position toward Myanmar. However, we believe that Thai officials have followed the political development in Myanmar and the crisis very closely since the 2021 Coup. The 'burden of proximity' makes the government mainly concerned about the influx of the displaced persons and Myanmar's opposition parties. Thailand also acknowledges other security, economic, and international relations risks affecting Thailand. In March 2021, Thailand's Foreign Ministry issued a statement saying,

As a next-door neighbor sharing a long common border, with Myanmar and Thai peoples having close interaction in many aspects, Thailand continues to follow developments in Myanmar with much concern. As with other countries, we are saddened by the loss of lives and sufferings of the people of Myanmar due to escalating violence in the country (Ministry of Foreign Affairs Thailand 2021)

Similar announcements were made in the subsequent months following the escalation of conflicts. In June 2021, Tanee Sangrat, a spokesperson of the Thai Foreign Ministry, said, 'We have been following developments in Myanmar closely with much concern, especially incidents of violence in many parts of the country.' He also called for the effective implementation of the ASEAN's five-point consensus (Aljazeera 2021d). Although these official announcements in the first few months suggest Thailand's concern about Myanmar, they do not reveal much about Thailand's position towards the junta or the crisis. It seems like Thailand was in the 'wait and see' mode.

In July 2021, the Thai government gave a hint at a more precise position of Thailand towards Myanmar and the crisis. The foreign ministry spokesperson said, 'As a close neighboring country, Thailand wishes to see peace, stability, and the well-being of the people in Myanmar. Thailand does not have the luxury of distance but has to consider the reality of [having] a common border with Myanmar. This is why Thailand cannot afford to be complacent about what is happening in Myanmar' (Bangkok Post 2021e). This statement suggests that Thailand is perplexed about how it should act toward Myanmar, considering that it is a neighboring country with a long border. It also aligns with findings from our interview with one diplomat who said, 'Thailand wants to keep all communication open' with Myanmar (Official#2, interview, October 5, 2021).

Since the formation of the NUG and NUCC, it remains unclear whether the Thai government has attempted to engage with the government- and legislative body-in exile despite the claims from some NUG members that they have had some exchanges with the foreign affairs ministry. To the best of our knowledge, we think that the Thai government has not yet seen the NUG as a unifying force, given political fragmentation with multiple competing parties. Besides, Thai officials continue to struggle to assess how they should develop a concrete position in Myanmar. As the previous diplomat eventually said, 'We still don't see the light at the end of the tunnel [for the Myanmar crisis]' (Official#2, interview, October 5, 2021).

Nonetheless, we believe Thailand's ambiguity represents the attempt to balance its interests in the Nay Pyi Taw government, the NUG, and the international community. We believe that the Thai government refrains from officially endorsing the junta government partially because of its fear of international condemnation, which may affect Thailand's international image. Shaming the coup and the military government can also pose security to Thailand, given Thailand's close relations with the Myanmar government. It may also haunt the ruling government since General Prayuth himself staged a coup when he first came to power.

The ambiguous position of Thailand towards the Myanmar junta also demonstrates that Thailand does not see itself as having privilege over any negotiations with Tatmadaw. This scenario reflects the outlook of the Thai – Myanmar relations in the late 20th century, which Ganesan (2006: 146) once put, 'Thailand's relationship with Myanmar since 1988 has been largely reactive. Over time, governments in Thailand have realized that very little can be done to nudge the [Myanmar] military government to institute democratic reforms or liberalize the political environment. Consequently, perhaps being reactive is the only option left.' While the Myanmar military regime has been unshaken for over thirty years, Thailand also remains unchanged. It shows Thailand's flagging diplomacy and statecraft and its lack of new initiatives—especially under the current regime, which has held power for nearly one decade.

### *Foreign Policy Actions*

Based on the outlook, we argue that Thailand has responded to the Myanmar crisis accordingly based on two tracks: 'ad hoc' and 'business as usual,' making the overall response tactical rather than strategic. 'Ad hoc' refers to the implementation of instant measures to address the immediate effects of the coup, especially the arrivals of migrants and refugees. These practices are intended to be used for a short period to respond to the emerging situation. However, Thailand's historical ad hoc policy implementation pattern suggests that these measures will likely continue to be the Thai government's long-term responses if the Myanmar crisis prolongs.

'Business as usual' refers to the conduct of Thailand's foreign affairs with Myanmar through multilateral and bilateral channels. Bilaterally, we found two main engagement tracks, namely government-to-government and military-to-military tracks, led by the Ministry of Foreign Affairs (MFA) and the Royal Thai Armed Forces (RTAF), accordingly. Since both Thai agencies share different interests and policy outlooks and lack coordination, the dual-track engagement with Myanmar is unsynchronized and becomes somewhat paralleled though not always clear-cut. This conduct may help explain multiple contradictory actions that Thai officials have taken since the 2021 Coup. For example, while the Ministry of Foreign Affairs expressed concerns about the crisis and widespread violence in Myanmar in early March 2021, the Royal Thai Armed Forces sent troops to parade and join Myanmar's Armed Forces Day celebration later in the same month.

At the multilateral level, Thailand has relied on the collective ASEAN decisions and tends to go with the leadership of other states in developing a response to Myanmar Crisis. Thai officials, including the prime minister, have endorsed different positions of ASEAN countries, starting from the five-point consensus, the appointment of an ASEAN envoy, and the exclusion of Myanmar from ASEAN summits. Nevertheless, to what extent Thailand will endorse the direction led by Cambodia's ASEAN chairmanship remains unclear.

### **Ad Hoc Response to the Myanmar Crisis**

The ad hoc approach is a typical path bureaucratic agencies have taken to respond to an emerging situation. Viteritti (1982) suggests that there are two components to it. First, there is some form of 'temporary' organizational arrangement. Second, the operation is somewhat separate from the daily practice of the bureaucracy. The Thai government used the ad hoc approach for an extended period—especially when confronting situations that Thailand perceives to end in a few months or years, such as the management of displaced people between the 1950s and 1980s.

Implementing the ad hoc approach in the Thai policy circle takes place through the application of tools especially cabinet resolutions, which could be altered once the new government assumes power. It can also be pursued by developing standard operating procedures (SOP) or enforcement guidelines. Therefore, this approach suggests the temporariness of policy conduct.

Since the Thai government has no clear foreign policy towards Myanmar, the ad hoc measures have become the dominant measure Thailand has adopted to respond to the crisis' impacts especially the flow of migrants. In the first few weeks after the coup, different border units at various locations have adopted several temporary practices to respond to the arrivals of the forcibly displaced (Khaosod 2021c; Matichon 2021b; Naewna 2021a). Refugees were welcomed

in some areas while being pushed out of the Thai territories in others. While these unsynchronized actions suggest the lack of coordination between officials in different regions, they also showed what operations officials thought they should do in such situation. This type of decision forms the essence of the ad hoc approach.

However, as the Thai government received complaints and criticisms domestically and abroad, and experienced more influx of the forcibly displaced, officials at both national and local levels have started to develop response plans. The National Security Council (NSC) devised a standard operating procedures (SOP) for managing the forcibly displaced at the national level. It was based on the method that Thailand adopted to control other groups of refugees and asylum seekers in the past, and labeling the new group of arrivals, for example. They are known as ‘people fleeing unrest’ (as opposed to ‘people fleeing fighting’) as they have been in a protracted refugee situation along the Thai – Myanmar border for more than thirty years.

Although most SOP details remain primarily confidential, the plan aims to assist those who need genuine protection. It is unclear how the screening would take place besides a brief oral investigation. The Thai government proposes to put the forcibly displaced into the ‘temporary safe area’ or ‘the waiting area for repatriation,’ which will be established in all provinces along the border (Official#4, personal communication, November 7, 2021). These two designated spaces are said to locate not too far from each other, with the former placed closer to the border under the supervision of the Thai military. The latter locates deeper into Thai territories with the management of the Ministry of Interior. Some of the publicly known temporary safe areas include the Kamnan Pan Cowshed, the Mae Ku Luang Stadium, the Moei Khong Cowshed, and the Baan Muen Lue Chai Temple—all in Tak Province.

Judging from the location of the temporary safe areas in cowshed, the Thai government has no intention to assist refugees from Myanmar in the long term, fearing the protracted refugee situation and refugee assistance as a pull factor attracting more of them. Thus, Thailand has envisioned the forcibly displaced to temporarily be in Thailand and return to Myanmar as soon as the situations improve. However, it is essential to note that the Thai government currently does not distinguish people coming from Myanmar into groups in a similar way we do so in this report. Refugees are seen as being homogenous, which we believe makes the Thai government’s reactions flawed and ineffective.

Although the ad hoc approach may serve Thailand’s interest in the short term, we believe that this policy measure will be ineffective in the long run. If Thailand’s experience of managing the forcibly displaced could teach the Thai government one lesson, this should be that its ad hoc approach has always turned into a long-term mechanism for managing a given situation—be it the influx of ethnic minorities from Myanmar remaining in the nine camps or the boat people from Vietnam. Thus, we believe that there is a need for the Thai government to abandon the ad hoc approach and develop a long-term institutionalized strategy that will likely allow Thailand to manage a worst-case scenario if the Myanmar crisis becomes a protracted conflict.

## **Business As Usual**

Apart from the ad hoc approach, the Thai government’s relations with Myanmar since the 2021 coup have been business-as-usual, which could be traced back all the way to the mid-1990s. Specifically, Thailand engages with the junta’s seamlessly based on the perception that the military is the de facto government compared to its opponents who are operating more loosely even with the creation of the NUCC and NUG. Accordingly, this approach sees Thai officials as not recognizing the rapid changing political dynamics inside Myanmar.

## **Ministry of Foreign Affairs and Government-to-Government (G2G) Relations**

The Ministry of Foreign Affairs has played a vital role in managing ties with Myanmar, and trust-building has been the core pillar of foreign relations between the two countries. Historically, the Thai government sided with the US and the free world during the Cold War and it perceived Myanmar as a security threat—especially since General Ne Win, who staged a coup and rose to power in 1962, had adopted the Burmese Way to Socialism (Huang 2013).

When Thailand opened its door to other socialist countries in the mid-1970s, it attempted to normalize its relations with Myanmar. Thailand had developed a more amicable relationship with the Myanmar ruling government between 1978 and 1987; there were continuous high-level visits and more honest exchanges of views. The relationship flourished in 1991 after Thailand pursued a policy of transforming Myanmar and its Indochinese neighbours from a battlefield into a marketplace during the premiership of General Chatichai Choonhavan (Kislenko 2002).

In 1992, Thailand introduced 'constructive engagement' policy towards Myanmar. There are four major components of this policy: 1) respecting the sovereignty and territorial integrity of each other and the principle of non-interference; 2) developing collaboration with Myanmar in all aspects based on common interest; 3) not isolating Myanmar to help bring stability, security, prosperity to Myanmar people; and 4) recognizing that peace in Myanmar and the well-being of its people will provide Southeast Asia peace and stability (Jayanama 2007). ASEAN later adopted this policy to engage with Myanmar. However, Jayanama (2016) suggested that constructive engagement was ineffective. The Myanmar government did not share the same interest as other ASEAN countries—including Thailand, and ASEAN lacked a strategy to achieve the goals of its newly developed approach.

When Thaksin came to power in 2001 and Thailand implemented the proactive Forward Engagement Policy, focusing on the common economic interest, there was an overall better development in the Thai – Myanmar relations. However, old-age issues such as drug trafficking, migrant workers, and ethnic armed groups remain the security concerns of Thailand. The diplomatic relationship between Thailand and Myanmar has always returned to trust-building processes (The Irrawaddy 2018). Myanmar always wanted Thailand's cooperation, especially in cracking down EAOs and drug trafficking for trust-building.

Based on our assessment, the period when the previous relationship between Thailand and Myanmar did not revolve mostly around trust-building was after latter transitioned to democracy in the early 2010s. Both countries enhanced their cooperation in more substantive areas, ranging from trade and investment to border cooperation. During the NLD government of Aung San Suu Kyi, Thailand and Myanmar successfully deepened collaboration in managing PM 2.5 pollution, narcotics, and other mutual concerns. Some forcibly displaced people from Myanmar who had lived in Thailand for nearly three decades could also return. Thus, it is arguably that the Thai – Myanmar friendship reached its height under Suu Kyi's government.

Since the 2021 coup, however, that Thailand did not simply reduce its cooperation and level of engagement with the government in Nay Pyi Taw. Based on our interview with a diplomat familiar with the issue, the Thai government does not believe that sanctioning and abandoning Myanmar would help bring changes to the country. Besides, Thailand does not have the leverage to do so, given its burden of proximity. Thus, improving the relationship with the new regime, emphasizing the importance of trust-building with the junta and humanitarianism, were seen as a more appropriate approach (Official#2, interview, October 5, 2021).

From the Ministry of Foreign Affairs' perspective, Thailand sees itself as the only bridge connecting ASEAN and the world to Myanmar—as it has always been before Myanmar's democratic transition. However, for Thailand to play that role, the Thai government must prove itself trustworthy to Myanmar. In this spirit, Thailand has been acting in a way that seemingly supports the junta, ranging from allowing the junta representative to visit Bangkok and abstention from condemning Myanmar junta in the United Nations General Assembly (UNGA). It is noteworthy that the latter actions were also taken by all countries sharing a border with Myanmar (Bangkok Post 2021c). The recent visit of the Thai Ambassador to pay respect to Min Aung Hlaing before leaving her post reiterated this point.

Business-as-usual also means that Thailand would continue other government-to-government relations with the regime in Nay Pyi Taw. Economically, General Prayuth stated after the cabinet meeting on February 2, 2021, that Thailand would continue negotiating with the junta government regarding the Dawei special economic zone—whose contract with a Thai company was terminated by the Suu Kyi-led government in January 2021. The cabinet also appointed the Minister of Finance to re-negotiate the contract with the new Myanmar regime (Thansettakij 2021b). We believe that the Thai government continued economic relations with the junta because most Thai businesses investing in Myanmar are big companies, such as Italian Thai Development and PTT. They have already invested in several projects yet to receive appropriate financial support or economic returns (ThaiPBS 2021a). For this reason, they prefer to operate in Myanmar, hoping to reap economic benefits.

Moreover, development cooperation through the Neighbouring Countries Economic Development Cooperation Agency (NEDA) and the Thailand International Cooperation Agency (TICA) will also continue to engage with the junta's government. NEDA continued to provide a loan of nearly USD 50 million for Myanmar to develop electric infrastructure in the North Okkalapa and North Dagon regions (NEDA 2021). As well, it plans to provide more support for developing tap water and waste management systems in the Kayin State through the Union's Ministry of Construction. TICA also provided Covid-19 assistance to Myanmar through the Myanmar Red Cross. In September 2021, Thailand, for example, supported medical equipment in Myanmar, ranging from oxygen concentrators to surgical and examination gloves (Khaosod 2021d).

For the Thai Foreign Ministry, business-as-usual allows the Thai government to engage more deeply with the junta. It is also part of Thailand's trust-building process with the new regime in Myanmar. The Thai government seems to believe that what it has done to Myanmar since the coup makes the junta prefer to continue engaging with Thailand and prefer to have a Thai envoy visiting Myanmar—rather than the one appointed by ASEAN (Official#2, interview, October 5, 2021). It allows the Thai government to keep its communication lines open with the Nay Pyi Taw regime even as it adopts a wait-and-see attitude regarding how events will unfold in the country in the near future.

### **The Royal Thai Armed Forces and Military-to-Military (M2M) Relations**

Another way Thailand's business-as-usual approach to Myanmar is through the engagement of the Thai armed forces. Military relations between Thailand and Myanmar had been hostile for many years throughout the Cold War. However, it gradually improved since the time of General Chatichai Choonhavan. The creation of the Joint Border Committee (JBC), convened in 1993, also helped foster closer collaboration between Thailand and Myanmar regarding border issues, leading to greater involvement of the military to take part in Thailand's foreign relations with Myanmar. Border cooperation thus strengthened ties between Thailand and Myanmar. It also led to establishing a reporting mechanism when gunfires or residues of conflicts inside Myanmar spills over into Thailand (Atipatya 2001).

Atipatya (2001) argued that military cooperation between Thailand and Myanmar preceded several tools established by the Ministry of Foreign Affairs. The development of military-to-military relations between Thailand and Myanmar grew from personal ties between generals on the both sides. During the commandship of General Chavalit Yongchaiyudh, Myanmar responded well to the Thai military's request for various border security cooperation because he had personal ties with General Muang Aye. The military bond also developed and grew when General Chettha Thanajaro became the supreme commander of the Royal Thai Armed Forces. The personal ties mainly developed through several rounds of high-level visits. Atipatya (2001) argues that Tatmadaw prefers to use casual and personal relationships for making contact because it does not force them to take any legal commitment.

In recent years, the Thai and Myanmar military developed closer partnership. This is reflected in General Prayuth's decision to visit Myanmar as the first overseas trip after staging a 2014 coup where he was received by President Thein Sein, himself a retired general (Lefevre and Marshall 2014). This visit also signified Myanmar's strategic importance for Thailand's military relations and interests.

The recent cohort of the Myanmar soldiers who staged the 2021 coup also had very close relationship with Thai generals. General Min Aung Hlaing saw himself as an adopted son of the former Thai premier General Prem Tinnulanon. When Prem passed away in 2019, he also rushed to pay his respect and told the media of his affection for Prem (The Irrawaddy 2019). As well, through the endorsement of the Royal Thai Armed Forces, Min Aung Hlaing also received the Knight Grand Cross (First Class) of Thailand's Most Exalted Order of the White Elephant for 'maintaining close military relations between the two nations' (Bangkok Post 2018).

Close ties between the two militaries were also demonstrated after the February 2021 coup. In March, there were reports about the Thai army supplying 700 sacks of rice to the Myanmar soldiers, whose supplies were cut off by the Karen National Union (KNU). Once the media found out about the delivery, the commander of the Naresuan Force denied the allegation (Reuters 2021a). On March 27, the Thai military also sent personnel to a parade in Nay Pyi Taw on Myanmar's Armed Forces Day, and was among eight nations that did so. Thailand's deputy prime minister Prawit defended the move by stating that it had nothing to do with endorsing political violence in the country (Bangkok Post. 2021a).

An interview with one diplomat indicated that the military communication exchanges intensified between Thailand and Myanmar during the first few months after the coup—especially since the Myanmar junta already had personal ties with the Thai generals who are still in power (Official#2, interview, October 5, 2021). This open communication channels remain significant because the Tatmadaw still needs the support of the Thai Armed Forces for legitimization and support in different operations, most especially in managing their border areas.

While the Thai military seems to have a close collaboration with the Tatmadaw at the senior level, it appears that the Royal Thai Armed Forces have also developed close connection with EAOs at the operational level too. During the Cold War, the Thai military recognized the EAOs as the convenient buffer between Thailand and Myanmar, especially Karen National Union (KNU) under General Bo Mya, who shared strong anti-communist sentiment with Thai military. This close ties eventually faded as the Thai government increasingly favored the restoration of peace in the border areas in the early 2000s (The Irrawaddy 2007). However, the Thai military continues to maintain contacts with

EAOs due to their control of large areas along the Thai-Myanmar border. Allegedly, it was through their support and assistance that Thai investors and businesses were able to operate inside Myanmar within the ethnic-controlled territories. The ties between the Thai military and some EAOs have also complicated the trust building process with the Tatmadaw.

### **Other Alternative Tracks**

Besides the G2G and M2M tracks, we would like to also point to alternative tracks under business-as-usual approach. Specifically, this involves local officials in the area of cross-border services, such as health service. Discussions with local doctors in the border district of Tak Province showed that the Thai medical staff has often operated cross-border, such as undertaking vaccination programs. Thai healthcare practitioners recognized that health concerns on the Myanmar side can always become a cross-border issue due to people's movement (Official#6, personal communication, February 5, 2022). A discussion with one village headman also reviewed similar cross-border dynamics. He said, 'I also consider people on the other side my villager. They always cross back and forth. Some people on the Myanmar side are also Thai people from our village' (Official#5, interview, February 4, 2022). This interview sheds light on the twin village cooperation, a form of the locally driven initiative from which community exchanges and diplomacy occur based on cross-border communal connections or familial relations (Srithongtham and Polbupha 2021). This sort of cooperation captured the border dynamics where the boundary may not define or shape people's actual sense of belonging.

#### *Multilateral Affairs*

The multilateral platforms, especially the regional bodies, provide another arena where Thailand fostered a relationship with Myanmar. ASEAN is the primary platform of engagement. Thailand and Singapore were at the forefront of endorsing ASEAN's engagement with Myanmar in the early 1990s, aimed at assisting the Myanmar junta government become a key international player (Ganesan 2006). This resulted in some positive outcome, such as the release of Aung San Suu Kyi from house arrest in 1997 after Myanmar acceded to the ASEAN's Treaty of Amity and Cooperation in Southeast Asia. However, after Myanmar became an ASEAN member, the junta government did not make much progress in opening up the country.

Thailand continued to use ASEAN as a platform for Myanmar engagement. Surin Pitsuwan, then Foreign Minister of Thailand, proposed 'flexible engagement' as a new cooperative approach among ASEAN members at the ASEAN ministerial meeting in 1998. He said:

ASEAN members perhaps no longer can afford to adopt a noncommittal stance and avoid passing judgement on events in a member country, simply on the grounds of 'non-interference'. To be sure, ASEAN's respect for the sovereignty of fellow members is one reason why the grouping has come this far and enjoyed such longevity. However, if domestic events in one member's territory impact adversely on another member's internal affairs, not to mention regional peace and prosperity, much can be said in favour of ASEAN members playing a more proactive role. Consequently, it is obvious that ASEAN countries have an overriding interest in the internal affairs of its fellow members and may, on occasion, find it necessary to recommend a certain course of action on specific issues that affect us all, directly or indirectly. Or, to be explicit, we may need to make intra-ASEAN relations more dynamic, more engaged, and, yes, more 'constructive' than before (cited in Haacke 1999).

This proposition experienced fierce opposition from Myanmar as it was seen targeting them specifically. It was also opposed by other countries, which saw this recommendation as vague and contradicting the principle of non-interference (Ganesan 2006). However, Surin Pitsuwan's suggestion demonstrated how Thailand, as in the past, used ASEAN as a platform to reshape its relations with Myanmar for Thailand's national interest.

While the Thai government continued to use ASEAN as a platform for engagement on Myanmar after the 2021 coup, it was not proactive in fostering the group's policy direction. Instead, the Thai representative has become more passive and let other member states to take the lead in guiding ASEAN positions toward Myanmar even though it has the most stake in the country's stability given its shared border. This then begs the question of whether Thailand remains relevant to ASEAN specifically in the context of the group's regional diplomacy towards an erring member.



## Conclusion and Recommendations

Since the 2021 coup, this study argues that Thai government officials have felt the effects of the ongoing Myanmar crisis on Thailand. However, they have not developed a concrete policy position and response to the issue. Instead, they have depended mainly on the ad hoc approach and business-as-usual, which are both reactive. While some ad hoc actions, such as the responses to the forcibly displaced are beneficial, they remain insufficient to systematically address the impact of the crisis on Thailand. The Thai government needs to do more in responding to the situation as the country cannot afford to be complacent about its current policy. It needs to think more long-term about how its inactions will threaten Thailand's national interests and undermine regional security.

Although the close ties between Thailand and Myanmar under the current climate allows Bangkok to build trust with the junta in Nay Pyi Taw, such good relations could deteriorate as more people in Myanmar continue to oppose the junta including ethnic minorities who are fighting the military regime. The current approach will make it difficult for Thailand to engage with all parties as trust-building may become a never-ending process if the conflict becomes protracted.

Furthermore, Thailand's current dubious position can put it at odds with many migrant workers from Myanmar who have supported the resistance against the junta, even as they have been an important backbone of the Thai economy. As Cogan puts it, 'the outrage of the people of Myanmar—or Thailand—is not something to scuffle with. As migrant workers represent a significant portion of the Thai labor supply and the mobilization of these workers could present Prayuth with another front of political opposition' (Cogan 2021). As well, Thailand may be overshadowed by other ASEAN countries, especially Indonesia, Malaysia, and Singapore, who expect Thailand to do more to assist the Myanmar people who have been suffering since the coup. Thus, instead of giving priority to maintaining close ties with the Myanmar junta, Thailand needs to reflect and consider the implications of such policy for Thailand's interests as well as its standing and reputation in the international community.

For these reasons, we argue that it is time for Thailand to revisit its current position towards the Myanmar crisis and the junta and recraft its engagement approach. Thailand needs to be more proactive in responding to the Myanmar crisis. We propose a 'flexible approach,' which is more creative and beneficial for Thailand's national interests. This approach consists of three core elements: assistance for Myanmar refugees, flexible engagement with the junta, and support for federalism in Myanmar.

### 1. Assistance for Myanmar Refugees

We recognize the limitations of the ad hoc and business-as-usual engagement models with Myanmar, but Thailand may not yet be able to abandon them in the short-term. Instead, some measures need to be adopted to be more responsive to emerging situations. Specifically, assistance for Myanmar refugees remains an essential practice that Thailand must pursue. Humanitarianism is a life-saving activity to assist those in need of protection, including refugees who have crossed into Thailand and internally displaced persons who have sought asylum inside Myanmar—especially in the border areas. It includes food and medical service deliveries and other activities to save lives.

Thailand does not need to absolutely adhere to the purest form of humanitarianism but can integrate it with other frameworks, especially development. This will allow Thailand to have more humanitarian options in responding to refugee movements. The humanitarianism-development nexus is one of the possible models which will help ensure the protection of human security. It will also help Thailand showcase its contribution to Sustainable Development Goal 16 regarding reducing violence and protecting their fundamental freedom, especially freedom from fear.

Accordingly, Thailand's new humanitarian-development model can be more flexible as it focuses on the concerns of specific groups of refugees coming into Thailand. We refer to our recommended approach as 'flexible humanitarianism.' For the group of refugees who hope to return once the situation in Myanmar improves, the Thai government can expand the number of temporary safe areas throughout the border and designate the village headmen to serve as the area supervisor. They should not be rounded up and sent to cowsheds or sites heavily guarded by Thai soldiers.

In relation to the COVID-19 pandemic, the village health volunteers can collaborate with emerging volunteers from Myanmar to conduct health screening and assistance. Inasmuch as health officials in the local areas also have a regional mechanism for managing cross-border health challenges, they can play a more active role in developing a plan for addressing public health concerns. In terms of food and other assistance, the Thai government can request the provincial administration to collaborate with civil society organizations, including those operating in the network like the Border Consortium (TBC), the Asia Pacific Refugee Rights Network (APRRN), and the Coalition for the Rights of Refugees and Stateless Persons (CRSP).

We believe that civilian officials are better positioned to manage refugee situations along the border than the military because most of them are familiar with services. For example, village headmen may also be acquainted with their counterparts from the Myanmar side and, therefore, can specifically address local needs. The Thai military can continue to get involved in refugee management by providing a support role and focusing on border patrolling to prevent militarized cross-border effects.

For high-profile cases who prefer to get resettled in a third country, we recommend the Thai government apply the 2019 Regulation of the Office of the Prime Minister on the Screening of Aliens who Enter into the Kingdom and are Unable to Return to the Country of Origin. Thailand can serve as a bridge connecting the forcibly displaced with a third country through this mechanism. The application of the Regulation will allow Thailand to highlight its continuing effort to become a humanitarian champion. This reputation is well known in the international community, even though Thailand is not a party to the 1951 Refugee Convention and its 1967 Protocol.

In the long term, it is evident that the Myanmar crisis will not be resolved anytime soon and refugees may continue to be on the run and tossed like a ping-pong ball at the border. Hence, Thailand needs to develop a new framework for managing the forcibly displaced from Myanmar. Rather than treating them as refugees, Thailand should see them as potential human assets who can contribute positively to Thailand's economy, especially since the country is now experiencing a labor shortage.

In recent years, several reports indicate that Thailand needs more employers in various sectors, ranging from agriculture to shipping, as the country is experiencing an aging society (Bangkok Post 2020; Borneo Bulletin Digital 2022). Many refugees can be channeled to these sectors, especially within the border districts and the Mae Sot Special Economic, where officers have also raised concerns about labor shortage. Bangkok can request collaboration from local chambers of commerce and provincial administration to explore labor needs before gradually integrating some workers into those different workstreams. Section 63 of the 2017 Foreigners' Working Management Emergency Decree has provided a pathway for making the humanitarian-labor nexus possible. This channel can also be applied to those people who hope to come to Thailand specifically for economic opportunities.

The labor-management channel can presumably provide a legal pathway for refugees to remain in Thailand as migrant workers and help reduce the perpetuation of illegal permits, which allow officials to seek rent from refugees. As well, the availability of labor pools will likely provide an incentive for more investors in the Mae Sot Special Economic Zone. For example, investors from Japan and other countries who had to leave Myanmar following the coup can restart businesses in Thailand with the hope of returning to operate in Myanmar in the future. Officials can issue a three-year temporary work permit like what the European Union is currently doing with Ukrainian but limit their mobility to only border provinces. This will allow mobile refugees to fill in seasonal labor shortages in other areas, too.

Some officials may argue that flexible humanitarianism will become a 'pull factor.' However, this argument is misleading. Regardless of whether Thailand develops a refugee management system, there will always be refugees crossing into Thailand. The refugee movement does not depend on the openness of Thailand but on the severity of conflicts inside Myanmar. Rather than being reactive, Thailand can be more proactive on the humanitarian front and turn humanitarian challenges into development opportunities that can benefit Thailand's economy and border provinces' interests.

## **2. 'Flexible Engagement' with the Junta**

The Thai government can continue to have a relationship with the junta in Nay Pyi Taw based on its need to keep all communication channels open. However, this engagement should be based on Thailand's better understanding of the ongoing situation inside Myanmar, which has changed drastically since the 2021 coup. The Thai government should establish a task force consisting of officials, academics, and civil society organizations to update the Myanmar situation weekly to have sufficient information to develop a firmer policy position and course of action on Myanmar.

In addition, Thailand should change its engagement approach toward the junta. Specifically, the Ministry of Foreign Affairs should seriously consider Dr. Surin Pitsuwan's 'flexible engagement' approach. Bilaterally, the Thai government needs to posit clearly to the junta that Thailand has a stake in the ongoing Myanmar crisis and therefore reserves the right to voice concerns and take more proactive actions towards the regime when needed. Ultimately, the Thai government needs to make the junta recognize that it is Thailand that the regime can depend on for legitimacy and support—especially when the international community and a large number of Myanmar people are increasingly abandoning them. Thailand should also take this opportunity to vigorously pressure the ruling junta to change its behavior, especially concerning its excessive use of force which also affects Thailand. It is time for the Thai government to recognize that a peaceful Myanmar is one of Thailand's prime national interests.

Multilaterally, the Thai government needs to be more proactive in ASEAN. Thailand used to be regarded as the leader of ASEAN particularly in mainland Southeast Asia. However, that role seems to have been overshadowed by the actions of other member states, especially Singapore and Indonesia, in recent years. ASEAN should continue to be on equal standing among all member states. However, when it comes to issues that affect Thailand's national interest, such as the Myanmar crisis, the Thai government must be more vocal in mobilizing regional support to defend its national interests. Thailand can take the lead in bringing the Myanmar issue to the ASEAN discussion with the hope of finding a regional solution. It is essential to take note that the instability in Myanmar have serious regional security implications, including the growing geopolitical rivalry between major powers.

### **3. Supporting Federalism in Myanmar for Lasting Peace**

The final component of our 'flexible approach' proposal is to have Thailand engage with other stakeholders inside Myanmar, including the NUG, NUCC, EAOs, PDFs, and CDMs. Maintaining contact with them will ensure that Thailand can have access to the future government if the opposition forces eventually win over the Tatmadaw. They also have a strong belief in the importance of pushing for a federal system in Myanmar, which should be in the interest of Thailand. Since the early 2000s, Thailand wishes to see peace in country so that the Thai border would be more prosperous and secure. As the 2015 Nationwide Ceasefire Agreement broke apart in the light of the coup, the federal model enshrined in the Federal Democracy Charter should be supported as it is Thailand's hope for a peaceful Myanmar.

There is no doubt that the federal model will allow all states in Myanmar to have an equal footing and provide a clear separation of powers between the federal and state governments to stabilize Myanmar. As most parties in Myanmar agree to the federal model, Thailand has every reason to endorse it. Federalism may not be the Union's perfect system, but it can ensure that all groups in Myanmar can continue to co-exist peacefully. The Thai government must recognize that it cannot afford to see Myanmar breaking apart into several independent units. That would guarantee nothing but an endless conflict that will severely hamper development along the border and jeopardize Thailand's national security.

The Thai government should have political will and convictions to protect its national interests in the light of the civil war in Myanmar. Thailand needs to formulate a better policy position with a clear eye on protecting its national interest, and act accordingly to respond more effectively to the Myanmar crisis, which may become a protracted conflict. The Thai government must never forget that Thailand will never be secure if Myanmar fails to restore peace and stability.

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